UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,940	09/19/2003	John Burgess	105479-58348 (644-033)	7083

26345   7590   05/11/2009
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EXAMINER
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ART UNIT	PAPER NUMBER
2621	

NOTIFICATION DATE	DELIVERY MODE
05/11/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _RCE of 3/09/09_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _21-40_ is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _21-40_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____ .
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____ .
4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 3/9/09 has been entered.

2.   Applicant's arguments with respect to claims 21-22, 24-33, and 35-40 (amended) as filed

on 3/9/09 have been considered but are not persuasive.

3.   The Applicant presents three arguments contending the Examiner's previously pending

rejection of claims 21-40 under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al.,

(hereinafter referred to as "Shaffer") in view of Rudkin et al., (hereinafter referred to as

"Rudkin"), as was set forth in the Final Office Action of 9/8/08, said arguments being set forth in

support of the currently amended claims 21-22, 24-33, 35-40 which now positively recite

"…wherein access requires confirmation by the video server of authentication and security

authorization information entered at the remote computer…" limitations. However, after a

careful consideration of the arguments presented, and further scrutiny of the applied references,

the Examiner must respectfully disagree and maintain the applicability of the applied references

as the basis of the grounds of rejection that follows below.

        After summarizing the salient features of the invention as recited in the representative

independent claim 21 (RCE of 3/9/09: page 7, lines 4-25; page 8, lines 1-7), the providing a

synopsis of the applied primary reference (RCE of 3/9/09: page 8, lines 8-24; page 9, lines 1-24;

page 9, lines 1-8, 12-24), the Applicant's argue that the "…authentication…" limitation is not

addressed by Shaffer (RCE of 3/9/09: page 9, lines 9–11). In response to applicant's arguments

against the references individually, one cannot show nonobviousness by attacking references

individually where the rejections are based on combinations of references. See *In re Keller, 642*

F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375

(Fed. Cir. 1986). The Examiner notes that since the secondary Rudkin reference is called upon to

address this feature, Shaffer on its own doesn't have to as well, but addresses this feature with its

combination with the secondary reference.

Additionally, after summarizing the secondary Rudkin reference (RCE of 3/9/09: page

10, lines 1-12), the Applicants argue the secondary reference as applied by the Examiner would

also fail to disclose "…wherein access requires confirmation by the video server of

authentication and security authorization information entered at the remote computer…"

limitation as in the claims (RCE of 3/9/09: page 10, lines 12-15). The Examiner flatly disagrees.

Rudkin clearly discloses that in filing up an HTML form for the personalization of a service, that

a **user name and password** is taken in conjunction with other information to form a database of

all registered users (Rudkin: paragraph [0072], lines 5-10). Accordingly, when Rudkin is

combined with Shaffer in the manner of the rejection, the disclosed use of a password reads on

this "…wherein access requires confirmation by the video server of authentication and security

authorization information entered at the remote computer…" limitation. Accordingly, the

Examiner maintains that the limitation would be met, as well.

Lastly regarding the Applicants remarks concerning claim 30, the Applicants argue that

only the presentations are downloaded and not the conferencing software (RCE of 3/9/09: page

10, lines 20-23; page 11, lines 1-15). The Examiner respectfully disagrees. The citation in

question establishes that items are downloaded from the conferencing server down to the remote

computers. Now, it may only disclose that as configured, only the presentations need be

downloaded to the local computers (Shaffer: column 6, lines 20-35), but that is only because it is

assumed that most participating clients of the conferencing system already have resident

software running upon their local videoconferencing computers (Shaffer: column 3, lines 15-35;

column 6, lines 65-67; column 7, lines 1-11). However, when a local computer doesn't already

have the conferencing software resident thereon, Shaffer allows for the functionality of

downloading conferencing software modules thereto from the conferencing server (Shaffer:

column 4, lines 5-27). Accordingly, the Examiner maintains that Shaffer does addressing

downloading software modules onto the local conferencing computers, and meets the limitation.

A detailed rejection follows.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 21-22, 24-32, 35-40 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Shaffer et al., (hereinafter referred to as "Shaffer") in view of Rudkin et al., (hereinafter

referred to as "Rudkin")

Shaffer discloses video conferencing system (Shaffer: figure 1), comprising: a video

server having a video input port for receiving a source video signal appearing on a video output

port of an initiating computer (Shaffer: column 3, lines 45-50), the video server transforming the

source video signal into a video server output signal having a format suitable for communication

over the Internet (Shaffer: column 3, lines 65-67); a plurality of remote computers, each of the

remote computers executing a respective browser application to access the video server via an

Internet address associated with the video server (Shaffer: column 4, lines 35-45); and the video

server downloading the video server output signal to each of the remote computers upon its

respective access to the video server (Shaffer: column 5, lines 15-25), wherein each of the

remote computers transforming the downloaded video server output signal into a display signal

suitable for viewing on a display device associated with that remote computer wherein a

representation of the source video signal at the initiating computer is viewable on each of the

plurality of remote computers (Shaffer: column 6, lines 10-20), as in claim 21. However, even

though Shaffer discloses access by the internet, it fails specifically disclose assigning the video

server a specific internet address (i.e. a URL or link) and subsequent access through said address,

computers upon its respective access to the video server, wherein access requires confirmation

by the video server of authentication and security authorization information entered at the remote

computer, as in the claim. Rudkin discloses assigning a video server a specific internet address

(Rudkin: paragraph [0081], lines 1-35), wherein access requires confirmation by the video server

of authentication and security authorization information entered at the remote computer (Rudkin:

paragraph [0072], lines 5-12), in order to allow for personalized multi-media delivery across

remote networks (Rudkin: paragraph [0005], lines 1-10). Accordingly, given this teaching, it

would have been obvious for one of ordinary skill in the art at the time of the invention to take

the Rudkin disclosure of address server designation into the Shaffer disclosure in order to have

its video accessible and addressable by remote users to allow for personalized multi-media

delivery across remote networks. The Shaffer system, now incorporating the Rudkin server

address designation, has all of the features of claim 21.

Regarding claim 22, the Shaffer system, now incorporating the Rudkin server address

designation, discloses wherein the source video signal is received from the initiating computer

via a communications path that does not provide signal processing to the source video signal

(Shaffer: column 3, lines 35-40), as in the claim.

Regarding claim 24, the Shaffer system, now incorporating the Rudkin server address

designation, discloses wherein one of the plurality of remote computers has at least one

associated input device selected from the group consisting of a keyboard and a mouse for

entering input signals (Shaffer: column 5, lines 20-45), as in the claims.

 Regarding claim 25, the Shaffer system, now incorporating the Rudkin server address

designation, discloses wherein the input signals coupled from the at least one input device are

supplied in response to prompts displayed on the display device associated with that one

computer (Shaffer: column 7, lines 10-35), as in the claim.

Regarding claim 26, the Shaffer system, now incorporating the Rudkin server address

designation, discloses wherein downloading of the video server output signal by the video server

is a type from the group consisting of multicasting and broadcasting (Shaffer: column 1, lines 5-

20), as in the claim.

Regarding claims 27-28, the Shaffer system, now incorporating the Rudkin server address designation, discloses wherein the video server utilizes a compression algorithm in transforming the source video signal into the video server output signal (Shaffer: column 3, lines 25-35), as in the claims.

Regarding claim 29, the Shaffer system, now incorporating the Rudkin server address designation, discloses wherein the video server output signal is encrypted by the video server prior to downloading to each of the plurality of remote computers (Shaffer: column 8, lines 55-65), as in the claim.

Regarding claim 30, the Shaffer system, now incorporating the Rudkin server address designation, discloses wherein the video server downloads a software application to those of the plurality of remote computers that do not have this software application (Shaffer: column 4, lines 5-20) already resident thereon (Shaffer: column 6, lines 20-35), as in the claim.

Regarding claim 31, the Shaffer system, now incorporating the Rudkin server address designation, discloses wherein the video output port is one selected from the group consisting of VGA, SVGA, S-video, and composite video and the source video signal has a signal format corresponding to the selected video output port (Shaffer: column 4, lines 30-40), as in the claim.

Shaffer discloses a method for video signal transmission (Shaffer: figures 3-7), comprising the steps of: providing a source video signal at a video output port of an initiating computer to a video input port of a video server (Shaffer: column 3, lines 45-50) to an internet address (Shaffer: column 4, lines 30-40); transforming the source video signal into a video server output signal having a format suitable for communication over the Internet (Shaffer: column 3, lines 65-67); downloading the video server output signal to each of a plurality of remote

computers, each of the remote computers executing a respective browser application to access

the video server via an Internet address associated with the video server (Shaffer: column 4, lines

35-45); and the video server downloading the video server output signal to each of the remote

computers that access the video server via its Internet address using respective browser

applications executing on that remote computer (Shaffer: column 5, lines 15-25), transforming

the downloaded video server output signal into a display signal at each of the plurality of remote

computers that is suitable for viewing a representative image of that on a display device

associated with that remote computer wherein a representation of the source video signal at the

initiating computer is viewable on each of the plurality of remote computers (Shaffer: column 6,

lines 10-20), as in claim 32. However, even though Shaffer discloses access by the internet, it

fails specifically disclose assigning the video server a specific internet address (i.e. a URL or

link) and subsequent access through said address, authenticating a remote computers security

authorization information entered at the remote computer, and provide authenticated security

authorization using respective browser applications executing on that remote computer, as in the

claim. Rudkin discloses assigning a video server a specific internet address (Rudkin: paragraph

[0081], lines 1-35), and authenticating a remote computers security authorization information

entered at the remote computer and provide authenticated security authorization using respective

browser applications executing on that remote computer (Rudkin: paragraph [0072], lines 5-14),

in order to allow for personalized multi-media delivery across remote networks (Rudkin:

paragraph [0005], lines 1-10). Accordingly, given this teaching, it would have been obvious for

one of ordinary skill in the art at the time of the invention to take the Rudkin disclosure of

address server designation into the Shaffer disclosure in order to have its video accessible and

addressable by remote users to allow for personalized multi-media delivery across remote

networks. The Shaffer method, now incorporating the Rudkin server address designation, has all

of the features of claim 32.

Regarding claim 33, the Shaffer method, now incorporating the Rudkin server address

designation, discloses wherein the providing of source video signal to the video input port of the

video server is done without any signal processing (Shaffer: column 3, lines 35-40), as in the

claim.

Regarding claim 35, the Shaffer method, now incorporating the Rudkin server address

designation, discloses the authentication (Rudkin: paragraph [0072], lines 5-14) of whether each

of the remote computers is authorized receive the video server output signal and, on if so, is such

signal downloaded to that remote computer (Shaffer: column 5, lines 20-45), as in the claim.

Regarding claim 36, the Shaffer method, now incorporating the Rudkin server address

designation, discloses wherein the input signals coupled from the at least one input device are

supplied in response to prompts displayed on the display device associated with that remote

computer (Shaffer: column 7, lines 10-35), as in the claim.

Regarding claim 37, the Shaffer method, now incorporating the Rudkin server address

designation, discloses wherein downloading of the video server output signal by the video server

is a type from the group consisting of multicasting and broadcasting (Shaffer: column 1, lines 5-

20), as in the claim.

Regarding claims 38-39, the Shaffer method, now incorporating the Rudkin server

address designation, discloses wherein the video server utilizes a compression algorithm in

transforming the source video signal into the video server output signal (Shaffer: column 3, lines

25-35), as in the claims.

Shaffer discloses a method for video signal transmission (Shaffer: figures 3-7),

comprising the steps of: receiving a source video signal on a video input terminal of a video

server (Shaffer: column 3, lines 45-50), the source video signal being coupled to the video input

terminal from a video output terminal of an initiating computer via communications path

(Shaffer: column 4, lines 30-40); transforming the source video signal into a video server output

signal having a format suitable for communication over the Internet (Shaffer: column 3, lines 65-

67); and downloading the video server output signal to each of a plurality of remote computers

accessing the video server (Shaffer: column 4, lines 10-30), each of the plurality of remote

computers executing a respective browser application (Shaffer: column 5, lines 20-30) and

accessing the video server via the Internet address associated with the video server (Shaffer:

column 4, lines 35-45), as in claim 40. However, even though Shaffer discloses access by the

internet, it fails specifically disclose assigning the video server a specific internet address (i.e. a

URL or link) and subsequent access through said address, and accessing the video server after

the video server authenticates the security authorization, as in the claim. Rudkin discloses

assigning a video server a specific internet address (Rudkin: paragraph [0081], lines 1-35),

accessing the video server after the video server authenticates the security authorization (Rudkin:

paragraph [0072], lines 5-14) in order to allow for personalized multi-media delivery across

remote networks (Rudkin: paragraph [0005], lines 1-10). Accordingly, given this teaching, it

would have been obvious for one of ordinary skill in the art at the time of the invention to take

the Rudkin disclosure of address server designation into the Shaffer disclosure in order to have

its video accessible and addressable by remote users to allow for personalized multi-media

delivery across remote networks. The Shaffer method, now incorporating the Rudkin server

address designation, has all of the features of claim 40.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The

examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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May 6, 2009